

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Hiroshi Fukui	Confirmation No.: 7869
Appl. No.	:	10/533,849	
Filed	:	October 24, 2005	
Title	:	HEAT CONDUCTIVE SILICONE COMPOSITION	
Grp./A.U.	:	1796	
Examiner	:	Matochik, T.L.	
Docket No.	:	071051.00007	

REQUEST FOR RECONSIDERATION

Mail Stop AF
Commissioner of Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Applicant hereby requests reconsideration of the finality of the Office Action mailed on February 29, 2008. In particular, the Applicant respectfully asserts that the finality of the Office Action is premature due to the citation of an additional reference (Peterson, United States Patent No. 5,011,870) and the formulation of a new rejection of subject matter than was previously claimed in a dependent claim, i.e., claim 6, without providing the Applicant with an opportunity to respond. As such, the finality of the Office Action should be withdrawn to allow the Applicant to adequately respond to the newly cited reference.

MPEP § 706.07 provides the guidelines for when a Final Rejection is proper:

Before final rejection is in order a clear issue should be developed between the examiner and applicant. To bring the prosecution to as speedy conclusion as possible and at the same time to deal justly by both the applicant and the public, the invention as disclosed and claimed should be **thoroughly searched** in the first action and the **references fully applied**; and in reply to this action the applicant should amend with a view to avoiding all the grounds of rejection and objection. Switching from one subject matter to another in the claims presented by applicant in successive amendments, or from one set of references to another by the examiner in rejecting in successive actions **claims of substantially the same subject matter**, will alike tend to